



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

J. M. Milliorn, et al.

Examiner:

Walter Aughenbaugh

Serial No.:

09/912,621

Group Art Unit:

1772

Conf. No.:

5460

Docket No.:

1938US01 (formerly HO-P02164US0)

Filed:

July 24, 2001

Title:

TRIANGLE SHAPED LABELS AND IMPROVED CONFIGURATION PROCESS

CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

By:

Name:

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet, in duplicate, containing Certificate of Mailing
- □ Large Entity Assertion/Status Update; PTO/SB/82; PTO/SB/96; Assignment by Inventors to Daydots; Patent Assignment by Daydots to Ecolab
- Notice of Non-Compliant Amendment dated June 25, 2004; Response to Notice of Non-Compliant Amendment; Revised Amendment
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 501257. A duplicate of this sheet is enclosed.

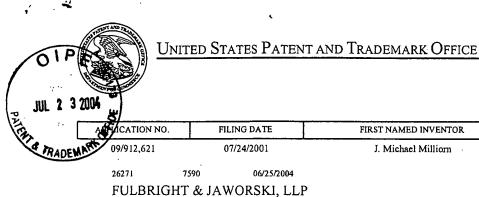
> Respectfully submitted, ECOLAB INC. Law Department Research and Development Center 840 Sibley Memorial Highway Mendota Heights, MN 55118 Telephone: (651) 306-5810

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ATTORNEY DOCKET NO. CONFIRMATION NO. P02164US0 5460 EXAMINER AUGHENBAUGH, WALTER ART UNIT PAPER NUMBER 1772

DATE MAILED: 06/25/2004

7/25/04-Resp Due

Please find below and/or attached an Office communication concerning this application or proceeding.

Received

JUN 3 0 2004

Attorney:

PTO-90C (Rev. 10/03)



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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).			
THE FO		ING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: ndments to the specification: A. Amended paragraph(s) do not include markings. B. New paragraph(s) should not be underlined. C. Other	
	2. Abstr	A. Not presented on a separate sheet. 37 CFR 1.72. B. Other	
	3. Amer	Amendments to the drawings:	
X	4. Amer	A. A complete listing of <u>all</u> of the claims is not present. B. The listing of claims does not include the text of all claims (including withdrawn claims) C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. D. The claims of this amendment paper have not been presented in ascending numerical order. E. Other: Canceled Claims requires to the content of the claims of this amendment paper have not been presented in ascending numerical order.	
For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf .			
If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.			
If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a <i>bona fide</i> attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).			
If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment. 1			